



THE CITY OF NEW YORK
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January 7, 2020

BY ECF

Honorable Ronnie Abrams
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Brian Coleman v. City of New York, et al.
18 CV 11819 (RA)

Your Honor:

MEMO ENDORSED

USDC-SDNY
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I am Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney for defendants City of New York and Police Officer Johanny Beissel ("City defendants") in the above referenced matter. City defendants write (1) on behalf of plaintiff and City defendants to request an adjournment of the conference currently scheduled for January 10, 2020 and (2) with the consent of all parties, to request a seven week extension of time to complete discovery.

On November 25, 2019, plaintiff, with the consent of all parties, requested a 60 day extension of discovery. ECF Dkt. No. 36. On November 26, 2019, Your Honor granted that request. ECF Dkt. No. 37. However, that previous request for an extension of discovery did not also include an adjournment of the status conference previously scheduled for January 10, 2020 at 11:30 am in the Case Management Plan and Scheduling Order. ECF Dkt. No. 35. The parties apologize for this oversight and for not filing a joint status letter with the Court in accordance with the Case Management Plan and Scheduling Order. It appears from a review of the docket in this matter that this conference was originally anticipated because fact discovery would be completed by January 8, 2020. Fact discovery has not been completed by the parties because plaintiff's request for extension of fact discovery was granted and discovery was extended to March 11, 2020 with depositions to be completed by February 7, 2020.

Currently, no depositions have been taken in this matter. Plaintiff's counsel is out of the country and will not return until February 10, 2020. Additionally, the undersigned was recently assigned this case from the prior Assistant Corporation Counsel, Nakul Y. Shah, who has since

left the Office of the Corporation Counsel. Accordingly, plaintiff and City defendants respectfully request an adjournment of the currently scheduled January 10, 2020 conference to a date after fact discovery has been completed. Co-defendants oppose this request and assert that they would prefer a conference to discuss outstanding discovery issues and difficulty scheduling depositions.

Additionally, City defendants, with the consent of all parties, request a second extension of time to complete fact discovery. Given plaintiff's counsel's extended time out of the country and the undersigned's new assignment to the case, more time is needed to complete depositions in this matter. City defendants respectfully request an extension of time to complete fact discovery from March 11, 2020 to April 30, 2020 and an extension of time to complete depositions from February 7, 2020 to March 27, 2020. Additionally, while the parties do not anticipate any expert discovery, City defendants' request a similar extension for the completion of all expert discovery to July 30, 2020.

Accordingly, City defendants and plaintiff respectfully request an adjournment of the currently scheduled conference of January 10, 2020 to a date convenient to the Court after April 30, 2020 (assuming this Court grants an extension of fact discovery until April 30, 2020). Furthermore, City defendants respectfully request an extension of time to complete discovery from March 11, 2020 to April 30, 2020 and an extension of time to complete depositions from February 7, 2020 to March 27, 2020.

City defendants thank the Court for its time and consideration in this matter.

Respectfully submitted,



Alison S. Mitchell
Senior Counsel
Special Federal Litigation Division

Application granted. The post-discovery conference is hereby adjourned to May 8, 2020 at 12 P.M. The parties' joint status letter is due May 1, 2020. To the extent any party believes a referral to Magistrate Judge Wang for a conference regarding ongoing discovery disputes would be productive, they shall write a letter so informing the Court.

The City Defendants shall file a substitution of counsel no later than January 15, 2020.

SO ORDERED.



Hon. Ronnie Abrams
1/8/2020